IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

Crl.Rev.Pet.No. 980 of 2007()

CC.374/2005 of JUDL.MAGISTRATE OF FIRST CLASS MAGISTRATE COURT I, PUNALUR

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REVN. PETITIONERS/ ACCUSED:

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1. ABRAHAM NAINAN,
   S/O.T.O.NAINAN, PARAPPURATH HOUSE,
   PANHADIMUGAL, YEROOR, PATHANAPURAM.

2. MATHAIKUTTY T.K.,
   S/O.LUKOSE, LILLY SADANAM,
   PANTHADIMUGAL, YEROOR, PATHANAPURAM.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR
SRI.M.R.JAYAPRASAD
SRI.K.K.RAJEEV

RESPONDENTS/ STATE & COMPLAINANT:

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1. STATE OF KERALA,
   REPRESENTED BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. M.G.RAJAN,
   S/O.GEEVARGHESE, KIZHAKKATHIL HOUSE,
   NEAR AYILARA L.P.SCHOOL, YEROOR, PATHANAPURAM.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU,J

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Crl.R.P.No.980 OF 2007

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Dated this the 6th day of March,2007

ORDER

The revision petitioners are the accused charged with the offences under Sections 323,324 & 427 read with section 34 I.P.C. The application under Section 321 Cr.P.C. filed by the Assistant Public Prosecutor was dismissed by the court below on the ground that the Assistant Public Prosecutor has failed to convince the court that withdrawal is the interests of administration of justice. It is submitted that the matters have been settled in between the parties. There is no error in the order of the court below. All the same the revision petitioners/accused would be entitled to apply for discharge and the same is to be considered the court below on merits.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,JUDGE

dvs